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HOUSE BILL 170

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Thomas C. Taylor

AN ACT

RELATING TO CRIMINAL LAW; REVISING THE ELEMENTS OF THE CRIMINAL  
OFFENSE KNOWN AS ENTICEMENT OF A CHILD; INCREASING PENALTIES;  
AMENDING A SECTION OF THE NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 30-9-1 NMSA 1978 (being Laws 1963,  
Chapter 303, Section 9-10) is amended to read:

"30-9-1. ENTICEMENT OF A CHILD. --

A. Enticement of a child consists of:

~~[A.]~~ (1) a person enticing, persuading or  
attempting to persuade a child under the age of sixteen years  
to enter [~~any~~] a vehicle, building, room or secluded place with  
intent to commit an act [~~which~~] that would constitute a crime  
under [~~Article 9 of the Criminal Code; or~~] Chapter 30, Article  
9 NMSA 1978;

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[bracketed material] = delete

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[B-] (2) a person having possession of a child under the age of sixteen years in ~~[any]~~ a vehicle, building, room or secluded place with intent to commit an act ~~[which]~~ that would constitute a crime under ~~[Article 9 of the Criminal Code]~~ Chapter 30, Article 9 NMSA 1978; or

(3) a person enticing, persuading or attempting to persuade a child under the age of sixteen years to enter a vehicle, building, room or secluded place with the intent to confine, restrain or transport the child without the consent of the child's parent or guardian and with the knowledge that the person has no lawful authority to do so.

B. Whoever commits enticement of a child is guilty of a ~~[misdemeanor]~~ fourth degree felony."

Section 2. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2003.